

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
ATHENS DIVISION**

LAYNE HEAVY CIVIL, INC.,

Plaintiff,

v.

HARRISON & HARRISON, INC.,

Defendant.

Civil Action File No.:  
3:17-cv-00157-CDL

**JOINT NOTICE OF SETTLEMENT AND  
REQUEST FOR ADMINISTRATIVE CLOSURE**

Plaintiff Layne Heavy Civil, Inc. (“Layne”) and Defendant Harrison & Harrison, Inc. (“Harrison”), by their undersigned counsel, notify the Court that they have settled the above-captioned matter and executed a Settlement Agreement memorializing such resolution. The Agreement is secured, in part, with a Consent Judgment that the parties have executed and which will be held in trust and filed only in the event of default (subject to the notice and cure provisions in the Settlement Agreement).

Accordingly, the parties request that the Court administratively close this matter, subject to be reopened, if necessary, for purposes of filing the referenced Consent Judgment. Upon full and timely satisfaction of the Settlement terms, the parties will dismiss this action in accordance with the terms of the Settlement Agreement. For the Court’s convenience, the parties attach a proposed order administratively closing this matter.

[*Signatures on following page*]

This 2nd day of November, 2018.

**WEINBERG WHEELER HUDGINS  
GUNN & DIAL, LLC**

/s/ Joseph J. Minock

Scott A. Witzigreuter  
Georgia Bar No. 772669  
Joseph J. Minock  
Georgia Bar No. 863687

*Counsel for Plaintiff Layne Heavy Civil, Inc.*

3344 Peachtree Road, NE  
Suite 2400  
Atlanta, GA 30326  
T: 404-876-2700  
F: 404-875-9433  
[switzigreuter@wwhgd.com](mailto:switzigreuter@wwhgd.com)  
[jminock@wwhgd.com](mailto:jminock@wwhgd.com)

**COOK & TOLLEY, LLP**

/s/ Devin Hartness Smith

Edward D. Tolley  
Georgia Bar No. 714300  
Devin Hartness Smith  
Georgia Bar No. 918980  
*Counsel for Defendant Harrison & Harrison, Inc.*

304 E. Washington Street  
P.O. Box 1927  
Athens, GA 30601  
T: 706-549-6111  
F: 706-548-0956  
[etolley@cooktolley.com](mailto:etolley@cooktolley.com)  
[devinhsmith@cooktolley.com](mailto:devinhsmith@cooktolley.com)

**CERTIFICATE OF SERVICE**

I hereby certify that on November 2, 2018, I electronically filed the foregoing *Joint Notice of Settlement and Request for Administrative Closure* via the CM/ECF system, causing a copy to be served upon the following counsel of record:

Cook & Tolley, LLP  
Edward D. Tolley ([etolley@cooktolley.com](mailto:etolley@cooktolley.com))  
Devin Harness Smith ([devinhsmith@cooktolley.com](mailto:devinhsmith@cooktolley.com))  
E. Spencer Tolley ([spencertolley@cooktolley.com](mailto:spencertolley@cooktolley.com))  
304 E. Washington Street  
P.O. Box 1927  
Athens, GA 30601

**WEINBERG WHEELER HUDGINS  
GUNN & DIAL, LLC**

/s/ Joseph J. Minock  
Joseph J. Minock  
Georgia Bar No. 863687